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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 10/583,443             | BURGHARDT ET AL.    |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | PHUONG HUYNH           | 2857                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 10/01/2008.
2. ☒ The allowed claim(s) is/are 15,19-28,31 and 35.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>20081113</u> .</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
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## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/01/2008 has been entered.

## **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Cameron Beddard (Reg. No. 46,545) on November 6, 2008.

The application has been amended as follows:

Claim 15, at line 26, delete "automatically"; at line 25.

***Allowable Subject Matter***

3. Claims 15, 19-28, 31 and 35 are allowed.

The following is an examiner's statement of reasons for allowance:

Brown, Jr. (hereinafter "Brown") (USPN. 6,868,358) discloses A method of processing information in a tire pressure monitoring system includes the steps of: establishing a reference temperature; determining a pressure warning threshold at the reference temperature; measuring gauge pressure and gauge temperature within a tire cavity; correcting the gauge pressure to a filtered pressure value at the reference temperature using the Ideal Gas Law; and comparing the filtered pressure value against the pressure warning threshold to determine the necessity for a warning signal. In an advanced form of the invention, the method includes determining a pressure leak rate; predicting the time interval that the filtered pressure value will cross the pressure warning threshold at the leak rate and generating progressive warnings to the driver over the time interval. Fuzzy logic is used to quantify the probability of a warning state for each data point, allow for measurement error; and report the state of maximum probability to minimize the occurrence of false warning. A warning utility function is derived based upon a combination of the filtered pressure and leak rate [see Brown: Abstract; col. 7, lines 15-30; col. 8, lines 21-33; col. 11, lines 32-50; col. 12, lines 6-18].

Lin et al. (hereinafter "Lin") (USPAP. 2002/0024432) discloses a method for monitoring the pneumatic tires of a vehicle, the vehicle includes a monitoring device

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which comprises at least one sensor module attached to a tire of the vehicle for sensing the condition of the tire and transmitting the radio frequency signal of the condition after encoded, and a decoding module comprising a radio frequency antenna module to receive the radio frequency signal transmitted by the sensor module, a memory to record the data of the predetermined range of the state of the tire and the monitored data of the condition of the tire, a processor to decode the received radio signal for comparing with the data recorded in the memory so as to decide the state of the pneumatic tire, a display device to show the state of the pneumatic tire, and a siren, the method for monitoring the pneumatic tire comprising the steps of: starting the monitor device; reading the signal of the condition of the tire sent by the sensor module and showing the state via the display device and recording the condition data of the tire transmitted by the sensor module in the memory when the vehicle is started; comparing the data of the condition of the tire and at least one predetermined range stored in the memory, if the condition is in the predetermined range, the tire is abnormal, then actuating the display to show the abnormal state and buzzing by the siren; comparing the data of the present condition of the tire with the data of the condition when the vehicle is turned off, if the difference there between is more than a first predetermined value, the tire is slow-leaking, then actuating the display to show the slow-leaking state and buzzing by the siren; and stopping the monitoring device [see Lin: Abstract; Paragraphs [0031], [0041], [0048]].

Boesch (USPN. 6,118,369) discloses a tire diagnostic system and method for detecting an inflation condition of a pneumatic tire on an automotive vehicle includes a method for estimating the inevitable pressure loss of the tire. The method creates the estimate based on a combination of a time since the tire was last set to a nominal value and an operating condition of the vehicle. For example, the estimate can be based on a combination of time and distance traveled since the tire was last set to a nominal value [see Boesch: col. 3, lines 19-43; col. 7, lines 35-51].

Regarding claim 1, the closest prior art (Brown and Lin), either singularly or in combination, fail to anticipate or render obvious wherein “wherein one or more conditions are checked as a precondition for identification of the tire filling pressure, including at least one of the ignition having been restarted following the vehicle having been stationary, a wheel sensor detected a pressure change when the vehicle was stationary, and a wheel that has newly been fitted to the vehicle is detected, wherein the characteristic change in the tire pressure value occurs when the difference between the determined tire pressure value and the stored nominal value is greater than a predetermined threshold value for at least two wheels, and wherein when the tire pressure changes in a manner characteristic of a filling process, the stored nominal value is replaced by a new nominal value if the determined tire pressure value is classified as plausible” in combination with all other limitations in the claims as defined by Applicant.

Claims 19-28, 31 depend from allowed claim 15 and therefore are also allowed.

Regarding claim 35, the closest prior art (Brown and Lin), either singularly or in combination, fail to anticipate or render obvious wherein “when the temporal course of a change in air pressure follows a pattern that is indicative of the tire by an operator, replacing the stored nominal value by a new nominal value, with the determined tire pressure value being used to establish the new nominal value” in combination with all other limitations in the claims as defined by Applicant.

#### ***Examiner's Note***

4. It is noted that on the Non Final Action, mailed on 10/09/2007, the applied Prior Art Boesch (USPN. 6,118,369) due to a typographical error was not recorded on the PTO-892 form. Therefore, Boesch now appears on attached form PTO-892 of the Notice of Allowability for record clarity.

#### ***Conclusion***

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUONG HUYNH whose telephone number is (571)272-2718. The examiner can normally be reached on M-F: 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eliseo Ramos-Feliciano can be reached on 571-272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuong Huynh  
Examiner  
Art Unit 2857

/P. H./  
Examiner, Art Unit 2857  
November 13, 2008

/Eliseo Ramos-Feliciano/  
Supervisory Patent Examiner, Art Unit 2857